

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF CALIFORNIA

In the Matter of the Accusation
of
CLARENCE HOUSTAN VANN, M.D.,
Respondent.

No. D-823

DECISION

The above-entitled matter came on regularly for hearing before the Board of Medical Examiners of the State of California with Coleman E. Stewart, Hearing Officer of the Office of Administrative Procedure, presiding, at the hour of 1:30 p.m. on the 21st day of October, 1964, in Room 102, Business and Professions Building, 1020 N Street, Sacramento, California. Milos Terzich, Deputy Attorney General, appeared on behalf of the Board of Medical Examiners. Respondent was not present or otherwise represented.

A written communication requesting a continuance until such time as respondent was released from prison was denied.

Evidence, both oral and documentary, being adduced and reported, the hearing was concluded and the matter submitted for decision. After due consideration of the record the Board of Medical Examiners makes the following decision:

FINDINGS OF FACT

FIRST COUNT

I.

Complainant, Wallace W. Thompson, as the Executive Secretary for the Board of Medical Examiners of the State of California, made the accusation herein in his official capacity and not otherwise.

II.

Respondent, Clarence Houston Vann, is also known as Clarence H. Vann, Clarence Houston Vann and Clarence Vann, that Clarence Houston Vann, Clarence H. Vann, Clarence Houston Vann and Clarence Vann are one and the same person.

III

On or about the 10th day of June, 1955, respondent, Clarence Houston Vann, was issued a physician's and surgeon's Reciprocity Certificate No. C-16929 by the Board of Medical Examiners of the State of California, authorizing him to practice medicine and surgery in said State; at all times mentioned herein, subsequent to said date, respondent was and now is licensed by said Board to practice medicine and surgery in the State of California.

IV

On or about June 15, 1961, respondent did, in the State of Michigan, City of Detroit, County of Wayne, commit the felony offense of attempting to procure, aid or abet in procuring a criminal abortion; such aforementioned conduct constituted a violation of sections 750.14 and 750.92 of the Penal Code of the State of Michigan (Compiled Laws, 1948).

SECOND COUNT

I

Paragraphs I, II, and III of the Findings of Fact with respect to the first count are hereby incorporated herein by reference thereto with the same force and effect as though restated in full.

II

On or about the 6th day of May, 1963, in a proceeding then pending in the Recorder's Court of the City of Detroit, County of Wayne, State of Michigan, entitled "The People of the State of Michigan vs. Clarence Houston Vann," No. A-109711, respondent, upon

his plea of guilty, was convicted of a felony, in that respondent on the 15th day of June, 1961, committed the crime of "attempt abortion," thereby violating sections 750.14 and 750.92 of the Penal Code of the State of Michigan (Compiled Laws, 1948); upon the said conviction, the said court ordered that respondent be placed on probation for five years; on the 26th day of February, 1964, the said court did adjudge and determine that the said respondent violated the terms of said probation and that he should be committed to the Michigan Corrections Commission by delivery to the State Prison of Southern Michigan, in the County of Jackson, the place designated by the Commission, and therein safely kept and employed according to the laws thereof, for the period of not less than one (1) year and no months, from and including this date, to two (2) years, no months; said sentence to run concurrently with sentence imposed on File A-118092.

III

On the 15th day of June, 1961, respondent willfully and unlawfully administered to one Susan C., a pregnant woman with a quick child, certain medicines, drugs and substances, and did employ certain instruments in and upon the body of said Susan C. with intent thereby to destroy such quick child by means of procuring a miscarriage of said Susan C., in consequence of the aforementioned procedure and conduct of respondent, the said Susan C. did on the 16th day of June, 1961, give birth to a baby boy of the period of approximately six and one-half months gestation; said baby boy did live for a period of approximately two hours; in consequence of the aforementioned assault made upon the said Susan C. in the manner aforesaid, the said baby boy did on the 17th day of June, 1961, die.

"THIRD COUNT

1

Paragraphs I, II, and III of the Findings of Fact with

respect to the first count are hereby incorporated herein by reference thereto with the same force and effect as though restated in full.

II

On or about the 11th day of February, 1964, in a proceeding then pending in the Recorder's Court of the City of Detroit, County of Wayne, State of Michigan, entitled, "The People of the State of Michigan vs. Clarence Vann," No. 118092, respondent, upon his plea of guilty, was convicted of a crime involving moral turpitude, in that respondent on the 26th day of October, 1963, committed the crime of "Accosting and Soliciting a Child for Immoral Purposes," thereby violating section 750.145(a) of the Penal Code of the State of Michigan (Compiled Laws, 1948); upon the said conviction, the said court, at a session thereof, did on the 25th day of February, 1964, adjudge and determine that the said respondent should be committed to the Michigan Corrections Commission by delivery to the Detroit House of Correction, the place designated by the Commission, and therein safely kept and employed according to the laws thereof, for the period of one (1) year from and including this date.

Respondent was, on or about May 6, 1963, convicted of the crime of attempted abortion, as herein found under Count II and placed on five years probation. A violation of probation warrant was issued against respondent on or about December 4, 1963, pursuant to a charge of rape. This charge, later reduced to accosting and soliciting a minor for immoral purposes, involved the respondent and his minor daughter of 14 years of age, with respondent's wife as a witness to this immoral act, committed on or about October 26, 1963.

MITIGATION OR EXTENUATION

I

The Board of Medical Examiners received and duly considered a letter from Mina Vann, mother of respondent, wherein said

Mina Vann undertook to explain the conduct of her son and the convictions which were the result of such conduct.

DETERMINATION OF ISSUES

I

By reason of the facts found as to Count I of the Accusation herein respondent has been guilty of unprofessional conduct as defined by the provisions of section 2377 of the Business and Professions Code of the State of California.

II

By reason of the facts found as to Count II of the Accusation herein respondent has been guilty of unprofessional conduct as defined by the provisions of section 2383 of the Business and Professions Code of the State of California, in that respondent was convicted of an offense involving moral turpitude.

III

By reason of the facts found as to Count III of the Accusation herein respondent has been guilty of unprofessional conduct as defined by section 2383 of the Business and Professions Code of the State of California in that respondent has been convicted of a further crime involving moral turpitude.

* * * * *

ORDER

WHEREFORE, the following order is made:

1. The license of respondent, Clarence Houston Vann, to practice medicine and surgery in the State of California is hereby revoked.
2. The foregoing order of revocation is separately and severally imposed with respect to each of the counts of the

Accusation herein.


3. The foregoing order of revocation shall be effective forthwith.

Dated and signed as of the 21st day of October, 1964.

This decision shall become effective on the 5th day of

December, 1964.

BOARD OF MEDICAL EXAMINERS
OF THE STATE OF CALIFORNIA


RAYMOND M. WALLERIUS, M.D.
Secretary-Treasurer